

The purpose of this section is to provide instructions to Department personnel for the use and operation of marked, unmarked, and undercover vehicles controlled by the Department, rented from a state garage, rented from a private car rental agency, or private vehicles operated by employees on a mileage basis and used for law enforcement activities.

Marked vehicles are those Departmental vehicles that have CDF/SFM logos, striping, lettering, identification numbers, or other CDF/SFM identifying marks. Unmarked vehicles are those Departmental vehicles that may be Departmental or random colored, do not have any identifying markings, and may or may not have non-exempt license plates. Undercover vehicles are those Departmentally owned or privately rented vehicles that are designed for covert use and will have non-exempt plates.

Under normal conditions marked Departmental vehicles will be used for day-to-day law enforcement activities. These units must be properly marked and identified to ensure officer safety and provide proper recognition by the public and other law enforcement agencies.

Certain activities of law enforcement can be carried out more effectively by peace officers in plain clothes operating unmarked or undercover vehicles. These activities include surveillance of places, persons, and vehicles; patrol of areas of high incidence of crimes while looking for unsuspected or known violators; contacting informants or witnesses where it is not desirable to "advertise" to neighbors and others that an official contact is being made; frequenting public areas and establishments where the presence of marked units is not desirable or would identify the occupants as being representatives of an enforcement agency.

The Director is authorized by law to operate vehicles bearing non-exempt license plates for the purpose of investigating actual or suspected violations of the law.

The Attorney General and the Department of Motor Vehicles have established rules and regulations that govern the use of unmarked or undercover vehicles bearing non-exempt license plates. The following quoted portions of those rules govern the use of these vehicles:

"Each request filed shall show that the vehicle is assigned to the duty of investigating actual or suspected violations of law and is intended for the use in the line of duty of regularly employed law enforcement officers."

"No vehicle with a visible red light, siren, or otherwise displaying any visible police equipment, or which is painted or otherwise identified as a police car, or operated by a uniformed officer shall be entitled to have undercover license plates."

"No undercover license plates shall be used on, or attached to, any vehicle other than the same vehicle for which they are issued."

OPERATION OF LAW ENFORCEMENT VEHICLES

9471.1

(February 2002)

Every peace officer authorized to operate a marked, unmarked, or undercover vehicle will comply with the following instructions:

- A marked, unmarked, or undercover vehicle will not be used to stop a moving vehicle on a public roadway or highway at anytime, except under the following conditions:
 - A. The vehicle has emergency equipment as outlined in Section 9471.5.
 - B. For a felony violation when it is necessary to make an arrest.
 - C. For an infraction or misdemeanor violation, where action or intervention is required to prevent the clear and immediate ignition of a fire or protection of life and property from immediate peril.
 - D. While assisting other law enforcement agencies, to comply with a "Be On The Lookout For" (BOL) Bulletins, or while enforcing state or local statutes, regulations, or ordinances falling under the Department's primary duties (i.e. State forest and Fire Laws, fireworks and explosives regulations, etc.).
- An undercover vehicle will be operated in accordance with the provisions of CVC §5001 and the Joint Rules and Regulations adopted by the Attorney General and the Department of Motor Vehicles.
- A Department peace officer will not operate an undercover vehicle while wearing the Department uniform except to prevent the immediate loss of life and property by efforts requiring use of the vehicle. CDF personnel will not be routinely transported in uniform.
- A Department peace officer will have in their possession, while operating a state-owned vehicle bearing non-exempt license plates, a Department of Motor Vehicles INV 171.

USE AND MAINTENANCE OF UNMARKED/UNDERCOVER VEHICLES

9471.2

(February 2002)

An unmarked or undercover vehicle may be provided in lieu of a marked CDF vehicle to an officer regularly or temporarily assigned to the Arson Investigation Unit (AIU) for use in assigned law enforcement activities.

A Region Chief or their designee will be responsible for the proper use, coordination, and maintenance of the unmarked or undercover vehicles within the respective Region in accordance with the following instructions:

- The installation of emergency equipment is recommended but is at the option of the Region Chief. If installed it will meet the 9471.5 criteria (Emergency Equipment). Installation constitutes a modification and approval requests should be processed through the Sacramento Mobile Equipment Management office, as described in [Section 6820](#), 6700 Mobile Equipment Handbook.
- An unmarked or undercover vehicle will be maintained to the same standards as other emergency vehicles operated by the Department except that red and blue lights, and siren must not be visible when not in use.
- No decals or marking that would identify the vehicle as belonging to the Department will be placed on the exterior of the vehicle or on the interior where they can be observed by someone looking into or riding in the vehicle. Department "X" numbers should be placed in a concealed location that cannot be observed with the doors, hood or trunk open.
- An unmarked or undercover vehicle will not be used as a "transportation vehicle" by personnel other than designated members of the AIU (or a peace officer issued an INV 171 entitling them to operate an undercover vehicle).
- An unmarked or undercover vehicle may be assigned on a temporary basis to another CDF peace officer to conduct a specific investigation.

Supervisors will be responsible for compliance with the above provisions with respect to an unmarked or undercover vehicle assigned to or used by one or more of their employees.

**REGISTRATION OF CDF VEHICLE WITH
NON-EXEMPT PLATES**

9471.3

(February 2002)

The Mobile Equipment Management office, prior to the expiration of the annual registration period of each vehicle, will prepare for the personal signature of the Director a request for the renewal of registration of the vehicle for which nonexempt registration is desired. After clearing with the Attorney General's office, the request will be forwarded to the Department of Motor Vehicles.

CREDIT CARDS

9471.4

(February 2002)

The Deputy Chief of Law Enforcement will obtain unmarked fleet credit cards for each of the unmarked or undercover vehicles operated by the Department. These cards will bear the Department's credit card number and account numbers, but they will be without any reference to the State of California or Department of Forestry and Fire Protection. A fictitious name will appear on all cards as the name of the corporation to whom the cards are issued.

EMERGENCY EQUIPMENT

9471.5

(February 2002)

Emergency equipment assigned to marked vehicles will meet the Department standards for proper "Code 3" operations.

Emergency equipment authorized for unmarked vehicles will meet the minimum requirements for proper operations under Title 13, California Highway Patrol 818(g). Any equipment installed will be done in such a manner that lights, siren, radio, and other equipment will not be readily visible to the public.

CDF law enforcement personnel are authorized additional emergency lights under California Vehicle Code Section 25258. The assignment of the blue light systems is limited to peace officers appointed under Penal Code 830.2 (g) that are assigned to fire prevention or arson and bomb investigation functions. Other Penal Code 830.2 (g) peace officers in the other program functions can be authorized blue light systems only with written justification to the Unit Chief or Staff Chief and approval from the Region Chief or Deputy Director.

Approval will be based on the following criteria:

1. Vehicle is assigned to a Department peace officer.
2. The peace officer's duties must include the close coordination and frequent activities with allied law enforcement agencies or the public in a law enforcement capacity.
3. The peace officer actively maintains proficiency as a law enforcement officer.
4. The peace officer maintains law enforcement safety equipment readily available on their person or within the vehicle, including authorized weapons.

Blue lights will be installed on vehicles as per Department [Fix-N-Fax #153](#) issued by Mobile Equipment.

The use of blue lights will be restricted to immediate law enforcement activities, and are not authorized for normal fire or related emergency responses.

STATE POOL UNMARKED VEHICLES

9471.6

(February 2002)

From time to time, it may be necessary to obtain unmarked vehicles with or without non-exempt plates from the State garages located in Sacramento, San Francisco, Fresno, and Los Angeles. Whenever such additional cars are needed, a telephone request should be made in advance by the Region to the dispatcher of the nearest State garage having unmarked vehicles. The same State and Department policies and regulations govern cars obtained from a State garage.

A peace officer of the Department drawing an unmarked vehicle with non-exempt plates from a State garage must have in their possession a form INV 171 (certification issued to designated employees).

PRIVATELY-OWNED VEHICLES

9471.7

(February 2002)

Privately-owned automobiles may be used in accordance with the instructions issued for the use of private vehicles in official work.

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